

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

STACEY STANTON,

Plaintiff,

v.

METRO CORP.,

Defendant.

Civ. Action No. 04-10751-FDS

ASSENTED-TO MOTION FOR LEAVE TO FILE REPLY

Pursuant to Local Rule 7.1(B)(3), defendant Metro Corp. hereby moves for leave to file a reply memorandum in support of its Motion to Dismiss (Dkt #7). As grounds for this motion, Metro Corp. states that (1) the plaintiff's opposition to the defendant's motion to dismiss advances new arguments that the defendant has not previously had an opportunity to address; and (2) the reply memorandum will be of assistance to the Court by focusing the issues that remain to be decided.

The reply memorandum which Metro Corp. seeks leave to file is conditionally submitted herewith.

The plaintiff, through her counsel, has assented to this motion.

Respectfully submitted,

METRO CORP.
By its attorneys,

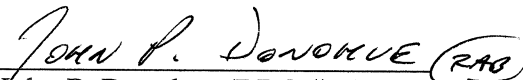


Robert A. Bertsche (BBO #554333)
Amy E. Serino (BBO #643664)
PRINCE, LOBEL, GLOVSKY & TYE LLP
585 Commercial St.
Boston, MA 02109
(617) 456-8000
(617) 456-8100 (fax)

Assented to:

STACEY STANTON


By her attorney,


John P. Donohue (BBO #567008)
Fuller, Rosenberg, Palmer
& Beliveau, LLP
340 Main Street, Suite 817
Worcester, MA 01608
(508) 751-5128

Dated: January 14, 2005

Local Rule 7.1(A)(2) Certificate

I hereby certify that on December 23, 2004, I conferred with John P. Donohue, counsel for the plaintiff, and attempted in good faith to resolve or narrow the issue addressed herein. Plaintiff's counsel has assented to this motion.


Amy E. Serino